

**JOURNAL OF THE PROCEEDINGS
OF THE
BOARD OF COMMISSIONERS
OF COOK COUNTY**



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**DAVID ORR
COUNTY CLERK**

**JOURNAL OF THE PROCEEDINGS
OF THE
BOARD OF COMMISSIONERS
OF COOK COUNTY**

**NOVEMBER 29, 2006
(Special Meeting)**



BOBBIE L. STEELE, PRESIDENT

**JERRY BUTLER
FORREST CLAYPOOL
EARLEAN COLLINS
JOHN P. DALEY
ELIZABETH ANN DOODY GORMAN
GREGG GOSLIN
CARL R. HANSEN
ROBERTO MALDONADO**

**JOSEPH MARIO MORENO
JOAN PATRICIA MURPHY
ANTHONY J. PERAICA
MIKE QUIGLEY
PETER N. SILVESTRI
DEBORAH SIMS
LARRY SUFFREDIN**

**DAVID ORR
COUNTY CLERK**

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JOURNAL OF THE PROCEEDINGS
OF THE
BOARD OF COMMISSIONERS
OF COOK COUNTY

Meeting of Wednesday, November 29, 2006

2:00 P.M.

Central Standard Time

COOK COUNTY BOARD ROOM, COUNTY BUILDING

Board met pursuant to the following call:

November 27, 2006

The Honorable David Orr
Cook County Clerk
118 North Clark Street
Chicago, Illinois 60602

Dear Mr. Orr:

Pursuant to the authority vested in me, I hereby call a Special Meeting of the Cook County Board of Commissioners for Wednesday, November 29, 2006, at the hour of 2:00 P.M. in the County Board Room, Room 569, County Building, 118 North Clark Street, Chicago, Illinois to consider the following:

Amendment to the Intergovernmental Agreement between the Cook County Board of Commissioners and the Illinois Department of Healthcare and Family Services.

Resolution/Agreement regarding POET and the Illinois Department of Commerce and Economic Opportunity.

Proposed Amendment to Chapter 44 Human Resources, Article II Personnel Policies, of the Cook County Code of Ordinances.

Litigation matter regarding Shakman, et al. v. Cook County, et al., 69 C 2145 to be heard in executive session pursuant to 5 ILCS 120/2(c)(11).

Very truly yours,

BOBBIE L. STEELE, President
Cook County Board of Commissioners

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COPY OF LETTER SENT TO ALL COMMISSIONERS

November 27, 2006

President and Members
Cook County Board of Commissioners

Ladies and Gentlemen:

Bobbie L. Steele, President of the Board of Commissioners of Cook County, has directed me to call a Special Meeting of the Board of Commissioners of Cook County for Wednesday, November 29, 2006, at the hour of 2:00 P.M. in the County Board Room, Room 569, County Building, 118 North Clark Street, Chicago, Illinois, to consider the following:

Amendment to the Intergovernmental Agreement between the Cook County Board of Commissioners and the Illinois Department of Healthcare and Family Services.

Resolution/Agreement regarding POET and the Illinois Department of Commerce and Economic Opportunity.

Proposed Amendment to Chapter 44 Human Resources, Article II Personnel Policies, of the Cook County Code of Ordinances.

Litigation matter regarding Shakman, et al. v. Cook County, et al. 69 C 2145 to be heard in executive session pursuant to 5 ILCS 120/2(c)(11).

Very truly yours,

DAVID ORR, County Clerk

* * * * *

This is to certify that a copy of the above notice was hand delivered and personally addressed to each Member of the Board of Cook County Commissioners at their home address and was deposited in the United States Mail on November 27, 2006.

DAVID ORR, County Clerk

* * * * *

The following Legal Notice appeared in the Chicago Sun-Times Newspaper on Monday, November 29, 2006.

LEGAL NOTICE

Bobbie L. Steele, President of the Board of Commissioners of Cook County, has directed me to call a Special Meeting of the Board of Commissioners of Cook County for Wednesday, November 29, 2006, at the hour of 2:00 P.M. in the County Board Room, Room 569, County Building, 118 North Clark Street, Chicago, Illinois, to consider the following:

Amendment to the Intergovernmental Agreement between the Cook County Board of Commissioners and the Illinois Department of Healthcare and Family Services.

Resolution/Agreement regarding POET and the Illinois Department of Commerce and Economic Opportunity.

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Proposed Amendment to Chapter 44 Human Resources, Article II Personnel Policies, of the Cook County Code of Ordinances.

Litigation matter regarding *Shakman, et al. v. Cook County, et al.* 69 C 2145 to be heard in executive session pursuant to 5 ILCS 120/2(c)(11).

Very truly yours,

DAVID ORR, Cook County Clerk and Clerk
of the Board of the Commissioners of Cook County, Illinois

November 27, 2006

OFFICIAL RECORD

President Steele in the Chair.

CALL TO ORDER

At 2:00 P.M., being the hour appointed for the meeting, the President called the Board to order.

QUORUM

County Clerk David Orr called the roll of members and there was found to be a quorum present.

ROLL CALL

Present: Butler, Claypool, Collins, Daley, Gorman, Goslin, Hansen, Maldonado, Moreno, Peraica, Silvestri, Sims, Suffredin and President Steele (14)

Absent: Murphy and Quigley (2)

BOARD OF COMMISSIONERS OF COOK COUNTY

PRESIDENT

**AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT BETWEEN
THE COOK COUNTY BOARD OF COMMISSIONERS AND
THE ILLINOIS DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES**

Transmitting a communication, dated November 27, 2006 from

BOBBIE L. STEELE, President, Cook County Board of Commissioners

requesting authorization for the President to execute Amendment No. 6 to the Intergovernmental Agreement originally dated July 1, 1995 with the Illinois Department of Healthcare and Family Services, the successor agency to the Illinois Department of Public Aid regarding certain Medicaid payments.

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The purpose of the amendment is to restructure the transfer arrangement entered into between Cook County and the State to reflect the additional \$20 million in cash flow granted to the County from the State during the County's 2006 fiscal year as well as the County's reimbursement of said \$20 million.

Approval is requested.

Commissioner Suffredin, seconded by Commissioner Daley, moved that the request of the President of the Cook County Board of Commissioners be approved. **The motion carried unanimously.**

ORDINANCE AMENDMENT

06-O-52

ORDINANCE

Sponsored by

**THE HONORABLE BOBBIE L. STEELE, PRESIDENT AND LARRY SUFFREDIN
COUNTY COMMISSIONERS**

Sponsored by

**THE HONORABLE JERRY BUTLER, FORREST CLAYPOOL, EARLEAN COLLINS,
JOHN P. DALEY, ELIZABETH ANN DOODY GORMAN, GREGG GOSLIN,
CARL R. HANSEN, ROBERTO MALDONADO, JOSEPH MARIO MORENO,
ANTHONY J. PERAICA, PETER N. SILVESTRI AND DEBORAH SIMS
COUNTY COMMISSIONERS**

AN AMENDMENT TO CHAPTER 44, HUMAN RESOURCES

ARTICLE II, PERSONNEL POLICIES (SECTION 44-55 POLITICAL DISCRIMINATION)

WHEREAS, it is essential to the proper operation of representative government that public officials and employees be independent and impartial; that public office and employment not be used for personal gain, and that the public have full confidence in the fair and honest administration of government; and

WHEREAS, it is the best interests of Cook County employees as well as the citizens of Cook County to promote fair and lawful employment and to enforce a policy that prohibits political consideration, affiliation and contribution in the hiring of non-exempt government employees.

NOW, THEREFORE, BE IT ORDAINED, by the Cook County Board of Commissioners that Chapter 44, Article II, Section 44-55 of the Cook County Code of Ordinances is hereby enacted as follows:

Sec. 44-55. Political discrimination.

Political discrimination in all aspects of Cook County employment, including the hiring, promotion, discharge, award of overtime and transfer of employees in non-exempt Cook County positions under the Office of the President shall be strictly prohibited. "Non exempt" positions shall have the meaning as defined under applicable state and federal law, and shall include all Cook County jobs under the Office of the President except those jobs that involve policy making or require confidentiality to an extent that political affiliation is an appropriate consideration for the effective performance of the job.

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1. With respect to all non-exempt Cook County positions that fall under the control of the President, Cook County exempt and non-exempt employees under the jurisdiction of the President shall be strictly prohibited from:
 - a. Directly or indirectly influencing any aspect of employment, including the hiring, promotion, transfer or discharge of an employee or employment applicant on the basis of political considerations whether based on political affiliation, political campaign contributions and/or political support. Nothing in this section shall prohibit an elected or appointed public official from recommending individuals where they have knowledge as to relevant qualifications for a position.
 - b. Directly or indirectly influencing the issuance of overtime on the basis of political considerations whether based on political affiliation, political campaign contributions and/or political support.
2. Complaints alleging political discrimination as a result of political consideration in any aspect of Cook County employment, including the hiring, promotion, discharge, issuance of overtime or transfer of employees in non-exempt positions or employment applicants seeking a non-exempt position shall be made to the Cook County Inspector General. The Inspector General shall be responsible for conducting or directing the investigation of the complaint.
3. It shall be the duty of every County employee who learns of any unlawful political discrimination in connection with any aspect of government employment with the County, or who believes that such unlawful political discrimination has occurred or is occurring to report this information to the Cook County Inspector General's Office ("IGO") without undue delay.
4. Any person who willfully violates Paragraphs 1 and/or 3 of this section may be subject to discipline up to and including discharge.

This Ordinance shall be effective January 1, 2007.

Approved and adopted this 29th day of November 2006.

BOBBIE L. STEELE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

Commissioner Suffredin, seconded by Commissioner Maldonado, moved that the Ordinance Amendment be approved and adopted. **The motion carried unanimously.**

RESOLUTION

**06-R-432
RESOLUTION**

Sponsored by

**THE HONORABLE BOBBIE L. STEELE, PRESIDENT, EARLEAN COLLINS
AND LARRY SUFFREDIN, COUNTY COMMISSIONERS**

**AMENDMENT TO RESOLUTION REGARDING POET AND
THE ILLINOIS DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY**

WHEREAS, the ~~Department of Commerce and Economic Opportunity (DCEO) is an~~ State of Illinois ("State") ~~state agency that~~ is the fiscal agent for federal Workforce Investment Act (WIA) funding directed from the United States Department of Labor, Employment and Training Administration to the State of Illinois; and

WHEREAS, pursuant to federal law, regulation and policy, ~~DCEO~~ the State has the duty to ensure that WIA funds are appropriately expended and documented by recipients consistent with federal law, regulation and policy; and in the event that recipients fail to appropriately expend and document WIA funds, ~~DCEO~~ the State may be ultimately responsible to the United States Department of Labor for the repayment of inappropriately expended or documented funds and could also lead to the reduction of federal WIA funds allocated to the State of Illinois; and

WHEREAS, Cook County, as an Illinois local unit of government, is the recipient of federal WIA funds from ~~DCEO~~ the State ; and Cook County is obligated by agreements with ~~DCEO~~ the State to expend and document federal WIA funds consistent with federal law, regulation and policy; and in the event that Cook County fails to expend and document federal WIA funds consistent with federal law, regulation and policy; and

WHEREAS, Cook County may be ultimately responsible to both ~~DCEO~~ the State and the United States Department of Labor, Employment and Training Administration for the repayment of inappropriately expended or documented funds; and

WHEREAS, LWIA 7 is the current administrator of WIA programs in South Suburban Cook County, through the President's Office of Employment and Training (POET); and LWIA 8 is the current administrator of WIA programs in North Suburban Cook County, through the Workforce Board of Northern Cook County; and

WHEREAS, to increase efficiency and effectiveness of workforce training programs supported by federal WIA funds in all of suburban Cook County and to ensure the future funding of these programs, ~~DCEO~~ the State and Cook County intend to consolidate the administration of LWIA 7 and LWIA 8 under the administration of Cook County; and

WHEREAS, ~~DCEO~~ the State and Cook County agree that elements of the current administration of workforce training programs supported by federal WIA funds must be ~~adjusted~~ improved to ensure the expenditure and documentation of federal WIA funds consistent with federal law, regulation, and policy.

NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF COOK COUNTY, ILLINOIS, THAT:

1. Cook County and the State will draft a transition plan outlining the WIA administrative structure for the County of Cook. Upon review by the Cook County Board President, the final transition plan will be signed and entered into by ~~DCEO~~ the State and the Cook County Board President by November 30, 2006. Such agreement would include, at a minimum, the following:
2. A. Cook County will designate an independent fiscal agent, with the concurrence of ~~DCEO~~ the State, for the purpose of providing staff to the Board necessary to meet the Board's organizational policies, design and oversight responsibilities, financial management, recordkeeping and reporting and staffing of the financial management for all WIA services in Cook County. All other administrative functions such as: ~~board staffing;~~ policy development; program and fiscal monitoring operations and MIS functions will be administered by the Cook County Board President. Cook County will designate the independent fiscal agent by January 8, 2007.
3. B. Cook County will transfer from POET all MIS functions to the Cook County Bureau of Information Technology and Automation (BITA) by January 30, 2007 or sooner.
4. C. Cook County will transfer all fiscal monitoring functions to the Office of the Cook County Auditor by January 30, 2007 or sooner.
5. ~~Cook County will designate a management transition team to assess and evaluate the current composition of the LWIA 7 and 8 Boards. Based on this assessment, a plan for restructuring the new Board will be developed. The team will work with each Commissioner and the mandated partners to develop the composition of the new Local Board based on WIA policies, rules and regulations. The team will also assess and evaluate the current WIA Title I program and fiscal staff. This will be done by January 30, 2007.~~
6. D. Cook County shall request ~~DCEO~~ the State to ~~immediately~~ take affirmative steps required for the Governor to de-designate Local Workforce Areas 7 and 8 as separate local workforce areas under the Workforce Investment Act and to designate a single new local workforce investment area that encompasses the entirety of Cook County, outside the City limits of Chicago. As a prerequisite to this consolidation, Cook County and the State agree that the designation of a third party fiscal agent is the best means to insure the expenditures and documentation of Federal WIA funds consistent with federal law, regulations and policy.
7. ~~Cook County shall request DCEO to immediately release any and all WIA program related funds that the State may be holding, including all funds for programs, administration and Local Workforce Investment Board administration.~~

This Resolution shall be effective immediately upon its adoption.

Approved and adopted this 29th day of November 2006.

BOBBIE L. STEELE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

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Commissioner Suffredin, seconded by Commissioner Silvestri, moved that the Proposed Resolution be approved and adopted.

Following discussion, Commissioner Suffredin, seconded by Commissioner Collins, moved to amend the Proposed Resolution. **The motion carried unanimously.**

Commissioner Suffredin, seconded by Commissioner Silvestri, moved that the Resolution be approved and adopted, as amended. **The motion carried unanimously.**

EXECUTIVE SESSION

Transmitting a communication, dated November 27, 2006 from

BOBBIE L. STEELE, President, Cook County Board of Commissioners

It is hereby respectfully requested that you place the following litigation matter on the agenda of the November 29, 2006 Special Meeting of the Board of Commissioners, to be heard in executive session.

Shakman, et al. v. Cook County, et al., Case No. 69 C 2145

This request for a closed meeting is made pursuant to an exception to the Open Meetings Act, 5 ILCS 120/2(c)(11): "Litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when a public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting."

Commissioner Silvestri, seconded by Commissioner Butler, moved that the Regular Session be adjourned and that the Executive Session be convened for the purpose of considering a litigation matter. **The motion carried and the Board of Commissioners convened in Executive Session.**

EXECUTIVE SESSION

Commissioner Suffredin, seconded by Commissioner Maldonado, moved that the Executive Session be adjourned and that the Regular Session be reconvened. **The motion carried and the Board of Commissioners reconvened Regular Session.**

BOARD RECONVENED

Commissioner Suffredin, seconded by Commissioner Maldonado, moved to adopt the State's Attorney's Recommendation and ask the District Court to approve and enter the Supplemental Relief Order in Shakman v. Cook County, 69 C 2145 as contained in Agenda Item #6. **The motion carried unanimously.**

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ADJOURNMENT

Commissioner Maldonado, seconded by Commissioner Claypool, moved that the Special Meeting do now adjourn.

The motion prevailed and the Special Meeting stood adjourned.

The next regular County Board Meeting is scheduled by law, for Wednesday, December 6, 2006.

* * * * *

A Special Meeting of the Board of Commissioners has been called for Monday, December 4, 2006 at 10:00 A.M.

A Special Meeting of the Board of Commissioners has been called for Wednesday, December 6, 2006 at 9:30 A.M.

County Clerk